

FULL REPORT OF GUARD PROBE PUBLISHED; JOHNSON UNDER FIRE

(Continued from page 1)

of very frank criticism of Gen. Johnson.

Early in the report occurs the following:

"Before proceeding further the board desires to state that attempts have been made to influence certain of its members."

"This sentence does not occur in the Johnson statement of Saturday."

The board also finds that there was such dissatisfaction over camp conditions as to cause a spontaneous movement among officers to resign, but that this purpose was not carried into effect. This part of the findings is not given in the Johnson statement.

On one point emphatically made by Gen. Johnson the board just as emphatically disagrees. This is the general attitude that the report contains a good deal which was not proper for publication, including criticism of officers, and that, while giving out the criticism on himself, he would withhold that on other officers. Members of the board declare that every sentence and paragraph in the report is proper for publication, and that there is no criticism of officers therein which must, under military regulation, be communicated to them orally.

In placing the complete document before the public, the board has the cooperation of Governor Pinkham, commander-in-chief of the national guard.

The first paragraphs of the report contain the special orders, No. 102, by which Gen. Johnson, by order of the commander-in-chief, on November 30, named the following officers to constitute the investigating board:

Col. William R. Riley,
Major Merle M. Johnson,
Major Lawrence M. Judd,
Capt. David L. Mackaye.

Report in Full

The complete report follows:
This board has held eight meetings, has examined 25 witnesses and reviewed 254 pages of typewritten testimony covering the matters under investigation.

Before proceeding further the board desires to state that attempts have been made to influence certain of its members. The board, therefore, wishes to understand that it has allowed no interests to influence its deliberations, and that this report is based solely on the sworn testimony adduced at the several hearings.

The following matters were brought before the board and investigated:
Disturbance Moving Picture Show
Evening November 22, 1917

The officers of the camp were gathered together in attendance at the usual evening lecture. Shortly after the lecture started it was frequently interrupted by a series of boisterous noises coming from the direction of the camp of the 2nd Infantry, where a moving picture show, with paid admissions, was being operated. The disturbance was of such magnitude, and so seriously interfered with the conduct of the lecture, that it had to be temporarily discontinued.

The camp commander, being absent, it was suggested by the instructor with the 3rd Regiment that "Assembly" be blown and that a complete check of all men reporting be made. This suggestion was immediately adopted by the senior officer present with each regiment, resulting in all but three men reporting present from the 1st Regiment, who were subsequently located in the vicinity of the camp, and two men absent from the 3rd Battalion of the 2nd Regiment, who were located later in the evening, and it was ascertained that they had nothing to do with the disturbance. We have no further information regarding the other battalions of the 2nd Regiment and separate detachments.

The disturbance was caused by enlisted men crowding around a moving picture show, who persisted in looking over the canvas walls surrounding the area set apart for the show. The guard of the 1st Regiment was with a great deal of difficulty, finally was able to maintain the crowd at a distance of about 15 feet from the enclosure. The officer of the day of the 1st Regiment on making a tour of inspection observed about six men still persisting in hanging onto the canvas of the enclosure. He immediately ordered a sentry to have these men moved back and, as this was done with a great deal of reluctance, one of the men was placed under arrest and conducted to the guard house. A crowd followed the prisoner to the vicinity of the guard house, where the officer of the day heard someone say "They are going to mob the guard." He immediately ordered the crowd to halt and disperse, which they subsequently did. "Assembly" was then blown and a check of each company made. The report of the officer of the day pertaining to this disturbance is as follows:

"At 6:45 detailed one corporal and three privates to keep men from crowding around officers' mess tent. Also detailed two privates to keep crowd back at moving picture show west of canteen. About 7:40 p. m. turned out the guard to disperse mob at picture show and arrested and confined in the guard house Private Juan Panagiban of Company 'M,' 2nd Regiment. At 7:45 p. m. by order of Lt.-Col. Rose, assembly was sounded. At 8:00 p. m. received reports from all organizations of 1st Regt. that all were present or accounted for, except in Co. 'C,' who reported three absent. At 4:30 p. m., by order of Col. Riley, released Pvt. Alberto Dadio.

LUTHER A. K. EVANS,
Capt. 1st Regt. Hawaiian Inf. N. G.,
Officer of the Day.

DAVID L. DESHA,
2nd Lieut. 1st Regt.
Hawaiian Inf. N. G.,
Commanding Guard."

In twenty minutes the entire disturbance was over.

Responsibility for Moving Picture Show.

The responsibility for the admission of the moving picture show within the camp rests on the brigade adjutant. A well-called free show was established by the sergeant-major of the brigade. Company commanders were asked to contribute \$5 from company funds for this purpose, at least one of them refusing because of his disapproval of the scheme. Another show, charging

admission, was conducted by a Japanese in close proximity to the first. Both had the permission of the brigade adjutant to operate. Following the disturbance of November 22nd both shows were ordered discontinued.

Amusements After Officers' Lectures

A majority of the officers examined strongly criticized the conduct of the amusements in camp. Band concerts were arranged for the hour preceding officers' lectures. These concerts were held in the officers' mess tent, which caused the enlisted men to congregate around and in the officers' mess and lecture tent, immediately upon the termination of some of the lectures, boxing and wrestling contests were allowed to be held within this tent, resulting in a lack of proper decorum, and, in one instance, the breaking of officers' mess tables. At one of these entertainments a "hula" dance was permitted, which resulted in a great deal of unfavorable criticism owing to its lascivious character. The following evening the camp commander in general stated that another "hula" was staged but this, on account of the protests by officers present, was not done, as there were ladies present.

The officers' lectures invariably began at 7:30 p. m., and in no instance were they of less than one hour's duration. The daily schedule called for "Tattoo" at 8:30 p. m. and for "Taps" at 9:30 p. m. It will, therefore, be seen that in each instance these entertainments were conducted after "Tattoo," and the testimony shows that in one instance it was allowed to continue after "Taps," which procedure is contrary to military regulations. The testimony shows that this irregularity was brought to the attention of the camp commander by an instructor, but the camp commander disregarded the suggestions of this officer for the reason that he wanted the men to go back to their respective stations with a feeling of pleasure rather than of strict discipline.

Disturbance at Inter-Island Wharf

The testimony shows that the reports concerning this matter have been greatly exaggerated. Permission was given men by the officer in charge, to leave the steamer, but it is shown that, with the exception of one officer and two enlisted men, the contingent embarked prior to the departure of the steamer in good order, although somewhat hurriedly, as to the exact sailing hour. The enlisted men were permitted to leave the vessel on the understanding that they would return at the call of "Assembly," which they did.

It is found that ample subsistence was provided under the direct supervision of Lieut. Charles Koepel, N. A., of the School of Bakers and Cooks, Fort Shafter, for all troops from Camp Liliuokalani and including the time which they would reach their home stations.

Gambling
The testimony shows that gambling was indulged in to a small extent in the camp. The board finds that several officers played cards for small stakes, after the lectures were over, which games were concluded, with one exception, prior to midnight; and the testimony shows that this in no way interfered with their military duties.

Among the enlisted men games of chance were indulged in to a small degree, particularly after the troops were paid, and the testimony shows that whenever this came to the attention of commissioned officers it was promptly suppressed.

Use of Liquor

The testimony shows that liquor was used in the camp, in small quantities, but in no case was this found to be among the enlisted men. During the entire encampment no case of intoxication has been mentioned.

Prostitution in Camp

The testimony shows that no women of doubtful character were present in the camp at any time.

Health and Sanitation

The board finds no incident where a line officer failed to co-operate with the sanitary inspectors, and that this co-operation was successful is shown by the low rate of sickness within the camp. This rate, as testified to, was 37/100 of 1%, as against a normal rate of 2%.

Bathing Facilities at the Camp

The lack of proper bathing facilities was a cause of great dissatisfaction. The ocean adjacent to the camp was declared unsafe for bathing purposes and orders were issued prohibiting bathing at the place. A shower bath was provided for each battalion and for four days no covering was furnished to protect the bathers from view. Permission was finally granted to have troops bathe on the beach in the vicinity of the Haleiwa Hotel, a distance of about a mile from the camp.

Payment of Troops

The board finds that much dissatisfaction

was caused by the fact that several of the companies and officers did not receive their pay before leaving the camp. The testimony shows that the Quartermaster's Corps were not sufficiently versed in the law regarding the payment of certain companies in which there was some question as to whether they were entitled to either Federal or Territorial pay, and a definite decision should have been reached before the troops left the camp, and the company commanders notified accordingly. The absence of a definite decision on this subject caused dissatisfaction and was harmful to military discipline.

Transportation Within Camp

This was found to be inadequate and, in the opinion of some officers, the wagon trains should have been taken out of camp to eliminate this difficulty. In many cases it was necessary for men to carry heavy equipment such as field ranges, tentage and firewood a distance of several hundred yards. The Chief Quartermaster explains that it was not possible to obtain additional wagons and trucks.

Equipment

The board finds that the troops were not sufficiently and properly equipped for a fifteen-day encampment. The majority of the enlisted men had but one pair of breeches and one pair of shoes; and some had but one shirt. There were not sufficient mosquito bars to supply the entire command. Much dissatisfaction was caused prior to and during the encampment over the fact that there seemed to be a lack of co-operation between the Quartermaster's Corps and the regimental supply officer of the 1st Regiment. It appears to have been difficult to obtain equipment on requisition at times.

The testimony in one instance disclosed the fact that a requisition for first-aid packets was not filled as, in the personal opinion of the Quartermaster Officer in charge, the men might not take proper care of this equipment. The testimony shows that proper field equipment was not issued on the direct order of the Militia Bureau. In another instance it was shown that 600 rifles were requisitioned for and, while there were more than this number on hand, but 240 were issued, and it was impossible to obtain the balance. At least one company went into camp without sufficient rifles.

Brigade Mess and Exchange

It is generally conceded that the mess for officers of the brigade was unsatisfactory from the standpoint of the service and the food served, which was a cause of dissatisfaction to such an extent that a large number of the officers discontinued their participation in the mess at an early date, preferring to have direct supervision over this mess. The sanitation of the mess was such as to cause two strenuous complaints to be registered by the chief medical inspector, with the result that an ultimatum was issued by him to the effect that if sanitary conditions were not immediately improved the catering privilege would be rescinded.

The camp exchange privilege was authorized by the brigade adjutant, whereby the caterer received the privilege of operating a camp exchange on the basis of 10% of the gross receipts of the exchange reverting to the National Guard of Hawaii. In the opinion of the board more advantageous arrangements could have been made and more profit accrued to the Guard had the privilege been advertised and awarded to the highest responsible bidder. It has come to the attention of the board that the entire proceeds derived from this source were to be applied to the payment of debts of the Post Exchange of the National Guard Army, Honolulu, in which event the 2nd Regiment, although participating in the exchange, would receive no direct benefit from the profits therefrom.

Camp Commander

For approximately three months prior to the encampment, the camp commander was a student in the Reserve Officers' Training Camp at Schofield Barracks, T. H. He still retained command of the brigade and did not delegate authority, hence the administration of his office was performed by the brigade adjutant, who was required to report and confer with the brigade commander, in many cases with loss of time, which conditions hampered necessary arrangements. This was particularly true in the case of the necessary preliminary arrangements for Camp Liliuokalani, and there is no doubt but that the discipline suffered thereby.

The board finds that the brigade commander was officially relieved from his duties as a training camp student on or about November 9, 1917, for the specific purpose of assuming command of Camp Liliuokalani, and notwithstanding the fact that he was relieved from his training camp duties, he continued to participate in the activities thereof.

From the testimony given by qualified officers, we find that the camp commander was derelict in his duties, and that it was not proper for him to attend the training camp under the circumstances.

The testimony shows that out of the 22 days of the encampment the camp commander was present in camp, as follows:

	A. M.	P. M.	Night
Friday, November 9, 1917.....	No	No	No
Saturday, November 10, 1917.....	1 Hour	No	No
Sunday, November 11, 1917.....	2 Hours	3 Hours	No
Monday, November 12, 1917.....	1/2 Hour	No	No
Tuesday, November 13, 1917.....	No	6 Hours	No
Wednesday, November 14, 1917.....	1/2 Hour	3 Hours	All
Thursday, November 15, 1917.....	Until 7:30 a. m.	No	No
Friday, November 16, 1917.....	No	3 Hours	No
Saturday, November 17, 1917.....	No	7 Hours	No
Sunday, November 18, 1917.....	No	No	All
Monday, November 19, 1917.....	All	All	All
Tuesday, November 20, 1917.....	All	All	All
Wednesday, November 21, 1917.....	All	All	All
Thursday, November 22, 1917.....	Until 8:00 a. m.	2 Hours	No
Friday, November 23, 1917.....	2 Hours	2 1/2 Hours	No
Saturday, November 24, 1917.....	3 Hours	2 Hours	No
Sunday, November 25, 1917.....	3 Hours	2 1/2 Hours	No
Monday, November 26, 1917.....	2 Hours	2 Hours	No
Tuesday, November 27, 1917.....	No	No	No
Wednesday, November 28, 1917.....	3 Hours	No	Yes (?)
Thursday, November 29, 1917.....	Until 8:00 a. m.	No	No
Friday, November 30, 1917.....	No	No	No

This record shows an attendance in camp by the camp commander of only 28%.

Part of the absence of the camp commander from the camp during the early part of the encampment may be attributed to a request which he received from the Governor of Hawaii to issue necessary orders in connection with the arrangements for the funeral of the late Queen Liliuokalani.

It has come to the board's attention that upon one occasion, when part of a regiment was making camp, the camp commander absented himself from camp to attend a football game, and virtually ordered the senior officer present with that regiment, together with the latter's adjutant, to accompany him, much against their wishes, as they desired to remain in camp especially as troops under that command had but arrived that day.

On one occasion, contrary to the advice, and over the direct protest of a regular army instructor, the camp commander called certain officers away from their official duties to visit the Reserve Officers' Training Camp trenches, at Schofield Barracks.

The testimony given shows that the camp commander, upon absenting himself from his command, did not delegate authority to the next senior officer present or notify him of his intended absence and the duration of the same. His absence, according to

testimony given, extended from a temporary absence to a prolonged absence, and it was not proper for him to delegate the authority of the command of the camp, under the circumstances, to a staff officer.

The fact that the authority of the camp commander was frequently permitted to rest in an officer of recent commission and, of necessity, limited experience, made it humiliating for officers senior to him in rank to receive orders from him while he was acting in the capacity of camp commander.

The testimony of qualified officers shows that in no case could the camp commander delegate his authority to a staff officer. (See Article 18, A. R., 1912).

The board finds that the camp commander did not sufficiently acquaint himself with orders issued in his absence, nor did he leave instructions regarding orders to be issued while he was away. There seemed to be a lack of appreciation, on the part of the camp commander, regarding his duties and responsibilities as such, and a disregard of regulations. This created an atmosphere of lack of authority which permeated the entire camp.

In many instances officers looked to the army instructors for orders, instead of their own superior officers. A glaring irregularity has been brought to the attention of the board from the fact that on two occasions both the camp commander and the brigade adjutant were absent from camp at the same time, for a period of several hours, without authority being delegated to another officer, or any notification being given of such absence.

Schedule

A source of serious complaint on the part of officers was deviation from the prescribed schedule of instruction. This schedule was originally prepared for an encampment at Schofield Barracks, but owing to a change of location to Kawaiaha, there were certain features of the same which could not be complied with. There was a general feeling among the officers that for such portions of the schedule which were not applicable to Kawaiaha there should have been substituted some progressive military instruction. The general impression existed that this was not done owing to the lack of proper direction.

It appears that the schedule was first interfered with by the sending of a Hawaiian Battalion to form a part of the funeral ceremonies of Queen Liliuokalani, which necessitated assembling and drilling of details taken from various companies in preparation thereof. By so doing some companies were reduced to such an extent that it was necessary to consolidate them with others.

Progressive training was next interfered with to prepare for the review to be held on Thursday, November 22, and three days were practically entirely devoted to this purpose.

A further serious interference with military training occurred on the afternoon of November 23 and the morning of November 24, which were devoted entirely to the purpose of taking pictures of the brigade, although as it happens no pictures were actually taken on Friday afternoon owing to the delay in the arrival of the photographer. It was considered that if the taking of pictures was advisable, they could have been taken at times other than those hours which should have been devoted to drill.

Discipline

The board inquired into the matter of discipline at the camp with a view of deciding whether there were grave breaches of the same that would require investigation under the orders convening the board. This did not appear to be the case, and such criticism might be justified would not be pertinent to this report.

Resignation of Officers

From the testimony given, the board finds that owing to dissatisfaction over irregularities at the camp there was a spontaneous expression among the officers of an intention to tender their resignations, which action, however, they were advised against.

Johnson Considers the Report Unjust

Gen. Johnson was asked by the Star-Bulletin today if he had any further statement to make.

"I have little to say at this time," he said. "I feel that the main thing is to work for the next inspection. I will say, however, that the criticism of my being in training camp and not at the guard camp continuously is unjust."

General Johnson intimated that he believes the report carries evidence of personal spite. When asked directly if he wished to make a statement on this he replied that he does not wish to do so now at any rate.

He was also asked if in view of the developments he had any thought of resigning.

"Absolutely not. Why should I resign?" he asked. "My duty is to stay with the guard."

A call for expert mechanics for the aviation corps was issued by the New York army aeronautical office. The mechanics are needed to keep the planes in condition in France.

NEW YEAR NIGHT AT HEINIE'S

New Year's Night will be a special affair at Heinie's Tavern, "on the beach at Waikiki." There will be a moonlight dinner-dance with plenty of good music and dancing.

The dinner will be served from 9 to 12, and it is going to be a special dinner, too. So make your table reservations early as possible. Phone 5670.—Adv.

MOANA HOTEL DINNER DANSANT

Tuesday evening. Miller's orchestra.—Adv.

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Try Murine Eye Remedy

WHARVES AT LAST TO BE GUARDED

(Continued from page 1.)

from Washington. It was handed to him by the naval intelligence bureau, which, according to the filing date, received it on Dec. 17, just 31 days after it was issued in Washington, D. C.

Mr. Huber has been at a loss to understand why a copy of the proclamation was not sent to him, and today was planning to send a cablegram of inquiry to the department of justice. About six weeks ago the Star-Bulletin showed Mr. Huber a newspaper copy of the proclamation and later newspaper clippings to the effect that the regulations were being carried out in the East. At that time he stated he could do nothing, as he had received no instructions from Washington.

Wharves to Be Guarded

With the regulations now in effect the first step taken will be the establishment of guards to keep all alien enemies off the territorial wharves and without the designated areas. Mr. Huber explains that this guarding will have to be done by the persons, firms or organizations directly responsible for the wharves. Thus, in Honolulu, the territory will have to maintain guards over its own wharves, while companies, such as the Inter-Island, owning wharves will have to guard them.

Following is a summary of the presidential proclamation, taken from the Official Bulletin:

Laying Out Zones

"The first thing to do is to lay out the boundary lines of the zones under the above regulation 13 of the presidential proclamation. Obtain from the United States attorney of the district the list of piers, docks, wharves and other facilities which come within the scope of the presidential regulations, and then lay out the boundaries of the zones, preferably by drawing some kind of a visible line or mark on the ground. At the points where streets or other means of access cross the zone boundary line place placards announcing that alien enemies are forbidden to go beyond that point in the direction of the shore."

"In case of railroads and street car lines and streets or other ways passing within or through the prescribed zone limits, no alien enemy will be permitted aboard the cars of such roads, even on continuous passage, or on or along said streets or ways within the prohibited area, without incurring when detected penalty therefor, except when on his way to board a ferry, and then only on such cars or streets leading directly to such ferry."

Restricting Access

"All alien enemies must be prevented from entering the prohibited water front areas. All permits previously granted allowing alien enemies access to these water front zones have been revoked by the new proclamation and under no circumstances whatever will any alien enemies be permitted to pass the water front zone line. The penalty for intruding upon restricted zones is imprisonment for part or the whole period of the war."

Arrests

"If an alien enemy is discovered within the barred zone, the guard should immediately take him into custody and detain him and thereupon should immediately notify the United States marshal of the district. When the United States marshal or a deputy marshal appears to claim him, the soldier or other person detaining him should surrender the custody to the marshal or deputy marshal."

Consultation With Officials

"Whenever the guard or other member of the army has any doubts or questions concerning the proper location of the barred zone, area, the definition of alien enemy, the scope of the presidential regulation, or of his powers as a member of the patrol, his immediate commanding officer should as quickly as possible consult the United States attorney of the district."

Nature of Patrol

The operators of the docks, wharves, and the other facilities named in the presidential regulations, have been officially notified by the United States marshal that each of them shall appoint inspectors, whose function it will be to stand at the entrance which are being used and assist the guard

in identifying the persons who have the right of access. The board should, therefore, immediately confer with the inspectors and should admit only those persons to the pier, wharf, etc., within his zone who are identified by the inspectors as entitled to access. This system of identification will relate both to the employees and workmen of the wharves, docks, and the other waterfront facilities and to the drivers, truckmen, and those engaged in bringing shipments to the wharves, docks, and other waterfront facilities.

"This system of identification by the inspectors is to be put into immediate effect and to be kept in operation during the whole period of the war. It is not expected, however, to accomplish a complete protection of shipping, and the department of justice is engaged in planning a system of passes to supplement the system of identification by inspectors. The operators of the wharves, piers, etc., within a course of a short time will be officially instructed to prepare a complete list of all employees and workmen entitled to access to their wharves and other facilities and to list out those who are alien enemies and to issue pass cards to those who are not alien enemies. When this system is ready for operation the war department will be notified, and from that time on no workman or employee or passenger, either of the wharf, pier, etc., themselves, or the ships, will be entitled to go within the barred zone without a pass card."

"According to the present plan, the pass card system will not apply to drivers or truckmen engaged in taking freight and materials to the wharves and other waterfront facilities."

WANTED ADS

HELP WANTED.

Young man to drive truck. Apply at once. Messenger Service. Phone 3461. 6981-11

WANTED AT ONCE.

Experienced reliable man to take charge of shop work for optician. Good salary to right person. Apply Optician, Star-Bulletin office. 6981-11

FOR SALE.

REAL ESTATE.

\$500.00—corner Ninth avenue and Kaimuki street, 150x200 feet improved property and new one-bedroom house, excellent view of mountains, ocean and town; quietest corner in town. Must sell at once. Improvements now being made to be paid for by present owner. Phone 7087. 6981-121

HELP WANTED.

Young man to drive truck. Apply at once. Messenger Service. Phone 3461. 6981-11

THE WORKMEN'S COMPENSATION LAW

In Wisconsin does an injustice to those whose intelligence guides them to a chiropractor for things that "medical, surgical or hospital attention cannot benefit. This "limited" brand of legislation is "compulsory medical treatment."

F. C. MIGHTON, D. C.,
204-5 Boston Bldg. (Over May's).

COURT DECLINES TO LET STATUTE HALT LITIGATION

Judge Kemp Holds McCandless Has Right to Attempt to Show Frontage Tax Law Unconstitutional Despite Limitation Clause

That a person raising the question of the constitutionality of the local frontage tax statute is entitled to have it determined on its merits, and that he should not be shut out from such a determination by the 30-day limit statute, is the opinion expressed by Circuit Judge S. B. Kemp in a decision which has been handed down in the case of L. L. McCandless against the city and county of Honolulu.

McCandless declined to pay his frontage tax assessment for street improvements on Beretania street. The city treasurer decided to sell his property to recover the assessment, and the day before the sale McCandless enjoined the city from making the sale. The city then entered a plea in bar on the ground that the McCandless petition was not filed within 30 days after the performance of the acts set forth in the complaint.

The decision cites the case of Bertram von Damm against City Treasurer Conkling, in which the contestant raised the question that the frontage tax statute was not constitutional. The supreme court held that the statute was not subject to any of the defects urged.

Judge Kemp expresses the opinion that if the petition calls in the question of the constitutionality of the improvement statute, under which the proceedings were had, the plea in bar should be refused regardless of whether the constitutional points raised were sound or not. He points out that the respondent admits that the petition filed by McCandless has raised the question of the constitutionality of the improvement statute, but urges that the supreme court has already decided the question against his contest.

"It is undoubtedly true," says the decision, "that the decisions of our supreme court are binding on this court, but the fact that the supreme court has held the law not subject to the defects now urged against it does not preclude other litigants from presenting the same question here and in the supreme court, and urging them with a view of convincing the court of error."

GRAND OPENING AT MOANA

Grand opening tonight at Moana hotel of the Diamond Head wine. Special dinner will be served at two dollars per cover. Please make table reservations.

Special music during dinner and dancing later. Our friends, patrons, the Army and Navy and the public generally are cordially invited to attend.—Adv.

RAWLEY'S New Year Specials:

For
Pure Ice Cream
Phone 4225 or 4555
No Orders Filled after 4 o'clock Jan. 1

Protection is absolutely required in the making, packing and shipping of